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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,796	11/21/2003	David A. Monroe	121947.0001.740	3090
7590	11/23/2005			
Robert C. Curfiss Jackson Walker, L.L.P. Suite 2100 112 E. Pecan Street San Antonio, TX 78205-1521			EXAMINER NGUYEN, THU V	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,796	Applicant(s) MONROE, DAVID A.	
	Examiner Thu Nguyen	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/13/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Objections

1. Claims 1, and 12 are objected to because of the following informalities:
 - a. In claim 1, line 1, the after the claimed "video data recorder" the abbreviation (VDR) should be added to provide proper antecedent to the abbreviation used in claim 2.
 - b. In claim 12, line 1, the dependency "claim 12" should be corrected to "claim 11".
 - c. In claim 12, line 2, the misspelled "distribution" should be corrected to "distribution".

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. In claim 5, lines 1-2, the claimed “further including” is ambiguous, it is not clear if it is the signal generating device that further includes the “digital signal encoder” or if it is the VDR that further includes the “digital signal encoder”.
- b. In claim 6, line 2, the claimed “further including” is ambiguous as similarly explained in claim 5 above.
- c. In claim 7, line 1, the claimed “wherein there are further included” is ambiguous, it is not clear, which device with further include the plurality of signal generating devices.
- d. In claim 7, lines 2-3, the claimed “wherein there is further including a multiplexer” is ambiguous, it is not clear if it is the VDR that includes the multiplexer or if it is the signals generating devices that include the multiplexer, moreover, the connection of the multiplexer to the system is not clear.
- e. In claim 8, lines 1, the claimed “wherein there are further included” is ambiguous as explained in claim 7, line 1 above.
- f. In claim 8, line 2, the claimed “there is further included a switched hub” is ambiguous as similarly explained in claim 7, lines 2-3 above.
- g. In claim 8, line 3, the claimed “therefrom” is ambiguous, it is not clear if it is the signals generated from the switched hub or if it is the signals generated from the dissimilar signal generating device.
- h. In claim 9, line 2, the claimed “wherein there is further included a wireless access point” is ambiguous, it is not clear if it is the signal generating device, or if it is the VDR system

that includes the wireless access point. Moreover, the connection of the wireless access point to other elements of the system is not clear.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masten JR. (US 2003/0185296) in view of Li et al (US 2003/0097661).

As per claim 1, 10, Masten teaches a vehicle video data recorder system (para 0047, 0051), the system comprises: a digital memory array (para 0026); a signal generating device (a camera) (para 0026, 0031); a coupler (computer) for receiving data signals from the signal generating device (para 0031, 0033). Masten does not explicitly disclose an encoder for converting the data signal to an IP protocol and introducing the IP protocol to the memory array, however Master suggests converting the signal to the IP format ready for transmitting over the internet (para 0039-0040, 0045), and Li teaches an encoder for converting the data signal to an IP protocol and an interface for introducing the IP protocol signals to the memory array (para 0012, 0013). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the encoder and the interface taught by Li to the system taught

by Masten in order to improve transmission speed and provide quick access to the system database.

As per claim 2-4, implementing an encoder at a specific location, or incorporating a known encoder to the signal generating device (the camera) would have been known as obvious matter of design choice.

As per claim 5, Masten teaches an analog camera including a digital signal encoder (para 0031-0032).

As per claim 6, Masten teaches analog audio transmitter including a digital signal encoder (para 0032).

As per claim 7, using multiplexer to combine signals from different sources into a single signal would have been well known.

As per claim 8, Masten teaches a plurality of dissimilar signal generating devices (the camera and the audio device) (para 0031-0032, 0059); moreover, using switched hub for managing signals would have been well known in IP communication network.

As per claim 9, Masten teaches a wireless signal generating device with a wireless access point for transmitting the wireless signal (para 0056-0057).

As per claim 11-12, Masten teaches a panic button for sending an alert signal to the system (para 0036, 0049), and controlling the rate of frame recording (para 0063), moreover, controlling distribution of signals according to alert or emergency status would have been known.

As per claim 13-14, Masten teaches sending data signals to an external receiving station (para 0066) via communication satellite interface (para 0047, 0055).

As per claim 15, providing military radio communication link for monitoring or remote controlling military aircraft would have been well known.


As per claim 16-20, Masten teaches wireless LAN interface (para 0056-0057). Moreover, including a switch hub, ARINC for distributing output signals via LAN interface to a plurality of monitoring facilities including a mobile monitoring entity such as an aircraft would have been well known and obvious matter of design choice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 4, 2005


THU V. NGUYEN
PRIMARY EXAMINER